

1 Phillip A. Silvestri, Esq.  
Nevada Bar No. 11276  
2 GREENSPOON MARDER LLP  
3993 Howard Hughes Pkwy., Ste. 400  
3 Las Vegas, Nevada 89169  
4 Tel: (702) 978-4249  
5 Fax: (954) 333-4256  
phillip.silvestri@gmlaw.com

6 CHERISH A BENEDICT  
(Admitted Pro Hac Vice)  
7 GREENSPOON MARDER, P.A.  
201 East Pine St., Suite 500  
8 Orlando, Florida 32801  
Telephone: (407) 425-6559  
9 Facsimile: (407) 422-6583  
cherish.benedict@gmlaw.com

10 Attorneys for Defendants

11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13  
14 KEN KACHUR,

15 Plaintiff,

16 vs.

17 NAV-LVH, LLC dba WESTGATE LAS  
18 VEGAS RESORT & CASINO, a Nevada,  
19 Limited Liability Company,

20 Defendant.

Case No.: 2:16-cv-02899

**STIPULATION AND REQUEST TO  
EXTEND DISCOVERY AND OTHER  
DEADLINES  
(FOURTH REQUEST)**

21 Pursuant to Local Civil Rule 6-1(a), Defendant NAV-LVH LLC dba Westgate Las Vegas  
22 Resort & Casino ("Defendant") and Plaintiff Ken Kachur ("Plaintiff"), by and through their  
23 respective counsel of record, hereby stipulate as follows:

24 This request is being made timely in accordance with LR 26-4 and the prior scheduling  
25 Order, which provides that requests for further discovery extensions must be made no later than  
26 twenty-one (21) days before the existing discovery cut-off date, June 4, 2018. This is the fourth  
27 request for an extension.  
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1 This stipulation is made and based upon the following factors.

2 To date, the parties have both made their initial disclosures to the other side. Defendant has  
3 propounded written discovery to Plaintiff, to which Plaintiff has responded. Plaintiff has also  
4 propounded written discovery to Defendant, which has been responded to. In addition, the parties  
5 have conducted some depositions and are in the process of locating a number of witnesses who are  
6 no longer employed by Defendant. Additionally, a key witness has moved to California and it has  
7 been difficult to coordinate a suitable date for her deposition. Further, counsel for both parties  
8 have other cases before this Court, which involve overlapping witnesses to some extent and, thus,  
9 the attorneys are coordinating the scheduling of the depositions in such cases to minimize the  
10 burden on the witnesses and travel for out-of-state counsel. Lastly, because of the nature of this  
11 case, a deposition of Plaintiff's doctor is required and the scheduling of this deposition has been  
12 continually hampered as a result of the doctor's busy schedule. This deposition is currently in the  
13 process of being scheduled, and the parties anticipate it will be scheduled within two weeks.

14 The parties and their attorneys have diligently worked to complete discovery as  
15 expediently as possible and will continue to try to complete the remaining discovery in as  
16 expedient a manner as possible.

17 Given the above circumstances, the parties request that the discovery period be extended as  
18 follows:  
19

20 <u>Activity</u>	<u>Former Date</u>	<u>Requested Date</u>
21 Discovery Cut-Off Date	06/04/18	07/19/18
22 Dispositive Motions	07/02/18	08/16/18
23 Pretrial Order	08/06/18	09/20/18 <sup>1</sup>

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<sup>1</sup> Or 30 days after the decision on the last dispositive motion.

1 In accordance with LR 26-4 the parties understand that any further requests for discovery  
2 extensions must be made no later than twenty-one (21) days before the newly-proposed discovery  
3 cut-off date of July 19, 2018 or no later than twenty-one (21) days before any other deadline  
4 sought to be extended.

5 DATED this 10<sup>th</sup> day of May, 2018.

6  
7 Law Offices of Michael P. Balaban

Greenspoon Marder LLP

8 */s/ Michael P. Balaban*

*/s/ Phillip A. Silvestri*

9  
10 Michael P. Balaban, Esq.  
Nevada Bar No. 9370  
11 Law Offices of Michael P. Balaban  
10726 Del Rudini Street  
Las Vegas, NV 89141  
12 Tel: (702)586-2964  
13 Fax: (702)586-3023

Phillip A. Silvestri, Esq.  
Nevada Bar No. 11276  
GREENSPOON MARDER LLP  
3993 Howard Hughes Pkwy., Ste. 400  
Las Vegas, Nevada 89169  
Tel: (702) 978-4249  
Fax: (954) 333-4256  
phillip.silvestri@gmlaw.com

14 Attorneys for Plaintiffs

Attorneys for Defendant

15  
16 CHERISH A BENEDICT  
(Admitted Pro Hac Vice)  
17 Florida Bar No. 99073  
201 East Pine Street, Suite 500  
18 Orlando, FL 32801  
Telephone: (407) 425-6559  
19 Facsimile: (407) 422-6583  
cherish.benedict@gmlaw.com

20  
21 Attorneys for Defendant

22  
23 IT IS SO ORDERED

24  
25 UNITED STATES MAGISTRATE JUDGE

26 DATED: May 15, 2018  
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